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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

AMANDA LEAMER

Plaintiff,

v.

THE HERTZ CORPORATION and HERTZ
GLOBAL HOLDINGS, INC.,

Defendants.

Civil Action No. 5:16-cv-1319 (FJS/TWD)

NOTICE OF REMOVAL
(Federal Question)

TO: THE HONORABLE JUDGES OF THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

Defendants The Hertz Corporation and the Hertz Global Holdings, Inc. (collectively,
“Defendants”), by and through their attorneys, Fox Rothschild LLP, respectfully say:

1. On or about September 20, 2016, Plaintiff Amanda Leamer (“Plaintiff”) commenced this action by filing a Verified Complaint in the Supreme Court of the State of New York, County of Madison, entitled Amanda Leamer v. The Hertz Corporation and Hertz Global Holdings, Inc., Index No. 2016-1641. Said action is now pending in that Court.

2. On October 6, 2016, Plaintiff served a copy of the Summons and Verified Complaint upon Defendants. Receipt of the Summons and Verified Complaint on that date was Defendants' first notice of the existence of a pleading containing a claim for relief asserted by Plaintiff which could be removed to this Court. *A true and correct copy of the Complaint is attached hereto as Exhibit A.*

3. Plaintiff's Complaint is based, in pertinent part, on allegations that Defendants failed to properly pay Plaintiff in violation of the Fair Labor Standards Act, 29 U.S.C. § 201, *et seq.* (See First and Second Claims for Relief, Exh. A). Accordingly, this Court has original jurisdiction over the First and Second Claims pursuant to 28 U.S.C. § 1331 and § 1337.

4. Since this Court has original jurisdiction over a federal question, it also maintains supplemental jurisdiction over Plaintiff's related state law claims. See 28 U.S.C. § 1367; Mizuna, Ltd. v. Crossland Fed. Sav. Bank, 90 F.3d 650, 655 (2d Cir.1996).

5. This Notice of Removal is filed within the time provided by 29 U.S.C. § 1446(b) and the Federal Rules of Civil Procedure.

6. Upon the filing of this Notice of Removal, Defendants shall give written notice thereof to Donald Kelly, Tully Rinckey, PLLC, attorneys for Plaintiff, 507 Plum Street, Suite 103, Syracuse, NY 13204, and Defendants shall file copies of said Notice and Notice of Filing of Removal with the Court Clerk, Supreme Court of the State of New York, County of Madison.

7. By filing this notice, Defendants do not waive any defenses which may be available to them, specifically including, but not limited to, insufficient service of process and the absence of venue in this Court or in the Court from which this action has been removed.

8. There are no other defendants in this case, so no further consent for removal is needed.

WHEREFORE, Defendants remove the above-captioned action now pending against them in the Supreme Court of the State of New York, County of Madison, to the United States District Court for the Northern District of New York, wherein it shall proceed as an action originally commenced therein.

FOX ROTHSCHILD LLP

By: /s Keith A. Reinfeld
Keith A. Reinfeld
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Dated: November 4, 2016

CERTIFICATE OF SERVICE
(via FedEx)

I hereby certify that on this date I caused a true copy of the foregoing Notice of Removal to be served on counsel for Plaintiff via FedEx at the following address:

Donald Kelly
Tully Rinckey, PLLC
507 Plum Street, Suite 103
Syracuse, New York 13204
P.O. Box 6233
Hamden, CT 006517

I hereby further certify that on this date I caused Defendants' Notice of Filing of Removal together with a copy of the Notice of Removal to be delivered for filing by FedEx to:

Clerk, Supreme Court of the State of New York
Madison County Courthouse
138 North Court Street
Wampsville, NY 13163

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


Chrissie Martin

Dated: November 4, 2016